

**Hinckley, Allen & Snyder LLP***Attorneys At Law*43 NORTH MAIN STREET □ CONCORD, NEW HAMPSHIRE 03301  
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**CENTRAL FAX CENTER****FACSIMILE TRANSMITTAL SHEET****MAY 10 2005**FROM: Norma E. Henderson, Esq.**CONFIDENTIALITY NOTICE**DATE: May 10, 2005NUMBER OF PAGES TRANSMITTED  
(INCLUDING COVER SHEET)24

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TO: Examiner Isaac R. Clark, Art Unit 2154

FIRM: U.S. Patent and Trademark Office

RE: Response to Office Action - Pat. App. Ser. No. 09/921,167

PHONE NUMBER: 571-272-3961

FAX NUMBER: 703-872-9306

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NOTES/COMMENTS:

Resubmitted Due to Transmission Problems

Amendment and Response to Office Action, mailed 12/10/2004, for Patent Application Ser. No. 09/921,067 (Docket No. 056450/0119019).

The following items are being sent herewith:

- Transmittal form (1 page)
- Fee transmittal (1 page- 2 copies)
- Petition for extension of time (1 page- 2 copies)
- Amendment and Response to Office Action (15 pp)
- Revocation of Power of Attorney (1 page)
- Power of Attorney/Change of Address (1 page)
- Assignee Statement under 37 CFR 3.73(b) (1 page)

I hereby certify that this correspondence is being facsimile transmitted to the USPTO on 5/10/2005.

Norma E. Henderson

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

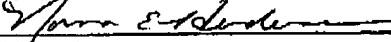
(to be used for all correspondence after initial filing)

		Application Number	09/921,167
		Filing Date	Aug 2, 2001
		First Named Inventor	Bennett, Simon
		Art Unit	2154
		Examiner Name	Clark, Isaac R
Total Number of Pages in This Submission	23	Attorney Docket Number	056450/0119019

**ENCLOSURES (Check all that apply)**

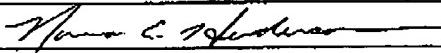
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Assignee statement under 37 CFR 3.73(b)
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Hinckley, Allen & Snyder LLP		
Signature			
Printed name	Norma E. Henderson		
Date	May 10, 2005	Reg. No.	39,219

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	Norma E. Henderson
Date	May 10, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27TOTAL AMOUNT TO BE PAID TODAY (\$)  
**(S) 225.00**

## Complete if Known

Application Number	09/921,167
Filing Date	8/2/2001
First Named Inventor	Bennett, Simon
Examiner Name	Clark, Isaac R
Art Unit	2154
Attorney Docket No.	056450/0119019

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None Deposit Account

Deposit Account Number

Deposit Account Name

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20=	0	X	Fee from below	Fee Paid
Independent Claims	-3+=	0	X		= 0.00
Multiple Dependent					= 0.00

## Extra Claims

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	*Reissue independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0.00)

\*\* or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

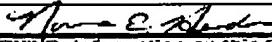
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 66	Surcharge - late filing fee or oath	
1052 50	2052 26	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,620	For filing a request for ex parte reexamination	
1804 620*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 56	Extension for reply within first month	
1262 420	2252 225	Extension for reply within second month	225
1263 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 225.00)

Complete if applicable

Name (Print/Type)	Norma E. Henderson	Registration No. (Attorney/Agent)	39,219	Telephone	603-225-4334
Signature		Date	May 10, 2005		

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PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

 Abolient Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 225.00)

Complete if Known

Application Number	09/921,167
Filing Date	8/2/2001
First Named Inventor	Bennett, Simon
Examiner Name	Clark, Isaac R
Art Unit	2154
Attorney Docket No.	056450/0119019

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None Deposit Account

Deposit Account Number

502834

Deposit Account Name

Hindley, Allen &amp; Snyder LLP

The Director is authorized to: (check all that apply)

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to the above identified deposit account.

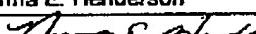
## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>(\$0.00)</b>	
<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b>			
Total Claims	Extra Claims -20% - 3**	Fee from below	Fee Paid
Independent Claims	0 X	=	0.00
Multiple Dependent	0 X	=	0.00
<b>SUBTOTAL (2)</b>		<b>(\$0.00)</b>	
* or number previously paid, if greater. For Reissues, see above			
Reduced by Basic Filing Fee Paid			
<b>SUBTOTAL (3)</b>		<b>(\$ 225.00)</b>	

## SUBMITTED BY

Complete if applicable

Name (Print/Type)	Norma E. Henderson	Registration No. (Attorney/Agent)	39,219	Telephone	603-225-4334
Signature		Date	May 10, 2005		

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PTO/SB/22 (12-04)

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) 056450/0119019
<b>FY 2005</b> <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818))</i>		
Application Number 09/921167	Filed 8/2/2001	<b>RECEIVED CENTRAL FAX CENTER</b>
<b>For Method and Apparatus for a Network Independent Short Message Delivery System</b>		<b>MAY 0 2005</b>
Art Unit 2154	Examiner Clark, Isaac R	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 120	\$ 60	\$ _____
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 450	\$ 225	\$ 225 _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 1,020	\$ 510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 1,590	\$ 795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 2,160	\$ 1,080	\$ _____

- Applicant claims small entity status. See 37 CFR 1.27.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 502834. I have enclosed a duplicate copy of this sheet.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- I am the
- applicant/inventor.
  - assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
  - attorney or agent of record. Registration Number 39,219
  - attorney or agent under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

Norma E. Henderson May 10, 2005  
Signature Date

Norma E. Henderson 603-225-4334  
Typed or printed name Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

- Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

05/12/2005 EABUBAK1 00000134 09921167 \*if you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

01 FC:2252 225.00 DA

PAGE 5/24 \* RCVD AT 5/10/2005 11:26:30 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/1 \* DNIS:8729306 \* CSID:603 434 8361 \* DURATION (mm:ss):13:44

PTO/SB/22 (12-04)

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4811).)</i>		Docket Number (Optional) 056450/0119019
Application Number 09/921167		Filed 8/2/2001
For Method and Apparatus for a Network Independent Short Message Delivery System		
Art Unit 2154		Examiner Clark, Isaac R
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<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 2,160	\$ 1,080
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/> A check in the amount of the fee is enclosed.		
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<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.		
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- attorney or agent of record. Registration Number 39,219
- attorney or agent under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34 \_\_\_\_\_.



Signature

May 10, 2005

Date

Norma E. Henderson

Typed or printed name

603-225-4334

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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